

Reg. for Sec. 1.8

PTO/SB/07 (05-03)

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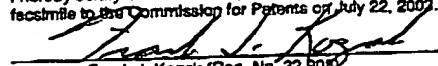
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Frank J. Kozak (Reg. No. 32,808)

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3661**

**PATENT
Case No. N0089US**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
LAWRENCE KAPLAN)

Serial No. 09/836,501)

Title: GEOGRAPHIC DATABASE)
INCLUDING DATA)
INDICATING WIRELESS)
COVERAGE AND METHOD)
AND SYSTEM FOR USE)
THEREOF)

Group:)
3661)

Examiner:)
JACQUES H. LOUIS-JACQUES)

Filed: April 17, 2001)

RESPONSE AFTER FINAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This response addresses the final Office Action re-mailed May 22, 2003.

In the final Office Action, Applicant's Claims 18 and 19 were indicated to be allowable if amended to be in independent form including all the limitations of their respective base claim and any intervening claims. Applicant gratefully acknowledges the indicated allowability of these claims.

The final Office Action included the same claim rejections that were included in the first Office Action dated October 30, 2002. In the first Office Action, Applicant's Claims 8-10, 14-17 and 20-23 were rejected as anticipated by U.S. Pat. No. 6,400,690 ("Liu") and Applicant's dependent Claims 11-13 were rejected as obvious over the combination of Liu and U.S. Pat. No. 6,292,743 ("Pu"). On January 30, 2003, Applicant filed a response to the first Office Action that explained why Claims 8-10, 14-17 and 20-23 were not anticipated by Liu and why Claims 11-13 were not obvious over the

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combination of Liu and Pu. In the final Office Action re-mailed May 22, 2003, the Examiner again rejected Applicant's Claims 8-10, 14-17 and 20-23 as anticipated by Liu and Claims 11-13 as obvious over the combination of Liu and Pu. The final Office Action included counterarguments to Applicant's explanation why these claims were allowable over these references.

Applicant appreciates the careful consideration given by the Examiner to the present application. Applicant acknowledges the attention given by the Examiner to specify pertinent passages from Liu in the final Office Action. Applicant has carefully reviewed the passages from Liu cited by the Examiner in the final Office Action as well as the Examiner's interpretation of these passages relative to Applicant's claims. Applicant believes that the Examiner's interpretation of Liu is inaccurate in at least one respect, as explained below. As a result, Applicant does not believe that Liu anticipates Applicant's Claims 8-10, 14-17 and 20-23. Applicant respectfully requests the Examiner to reconsider his interpretation of Liu.

In the final Office Action, the Examiner provided the following statement to contradict Applicant's explanation of Liu that had been provided in the response filed by Applicant on January 30, 2003. In the final Office Action, the Examiner stated that

"... the system control unit (101) which the navigation manager (102) is part of is used to combining [sic] information from a group of mobile wireless users. Once it is determined that wireless navigational services are not available for a particular area, the control unit utilizes the navigation services stored therein. See figures 2 and 5. See also column 1, line 63 to column 2, line 2. See, in particular column 4, lines 3-9, 36-54." From the final Office Action, page 5. [Emphasis added.]

The passages from Liu cited by the Examiner are reproduced below:

Liu: column 1, line 63 to column 2, line 2.

According to the invention, there is provided a system for the production of an empirical map of wireless communication coverage through a process of combining information from individual clients to produce the map, which is then shared, by all of the clients. White spaces, areas not measured, can be discovered and then explored and added to the map database in a self-teaching process. [Emphasis added.]

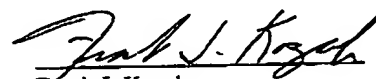
Liu: column 4, lines 3-9.

The navigation manager 102 has access to the navigation or street map and the coverage map stored in the storage device 116 for route planning or tracking and obtains the vehicle's location information from the GPS receiver 113 for vehicle location and navigation. When the user 220 requests a computed best route, it is the navigation manager 102 that makes this computation.

"Wireless navigation services" refers to navigation services, such as routes or maps, that are available wirelessly. Wireless communications service may be available in an area in which wireless navigation services are not available, and vice versa. Because wireless communications coverage is not the same as wireless navigation services, Liu does not anticipate Applicant's Claims 8-10, 14-17 and 20-23. Therefore, Applicant requests that the rejection be withdrawn.

All the issues in the Office Action mailed May 22, 2003 have been addressed. Applicant submits that the present application is in condition for allowance. If any issues remain, the Examiner is invited to call the undersigned.

Respectfully submitted,



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Chief Patent Counsel

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